



Atty. Dkt. No. 054707-1225  
Appl. No. 10/601,607

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gregory S. HAMILTON et al.

Title: N-LINKED SULFONAMIDES OF N-HETEROCYCLIC  
CARBOXYLIC ACIDS OR CARBOXYLIC ACID  
ISOSTERES

Appl. No.: 10/601,607

Filing Date: 06/24/2003

Examiner: C.C. Chang

Art Unit: 1625

**RESTRICTION REQUIREMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a response to restriction requirement in the above-identified application.

[ X ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

[ X ] The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	14	-	20	=	0	x	\$18.00	=	\$0.00
Independent Claims:	4	-	4	=	0	x	\$86.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$290.00	=	\$0.00
CLAIMS FEE TOTAL									= \$0.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$110.00
<input type="checkbox"/> Extension for response filed within the second month:	\$420.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$950.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,480.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,010.00	\$0.00
EXTENSION FEE TOTAL:		\$110.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$110.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$55.00
TOTAL FEE:		\$55.00

☒ A check in the amount of \$55.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

06-28-2004

By



FOLEY & LARDNER LLP  
Customer Number: 29728  
Telephone: (202) 295-4166  
Facsimile: (202) 672-5399

Sean A. Passino  
Attorney for Applicant  
Registration No. 45,943



Patent  
Atty Docket No. 054707-1225

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Art Unit: 1625

**RESPONSE TO RESTRICTION REQUIREMENT**

MS AMENDMENT  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This paper responds to the restriction requirement dated 04-28-2004. It is timely as it is filed with a one-month extension of time and the \$55 (small entity) fee.

The restriction requirement dated required restriction under 35 U.S.C. § 121 to one of the following groups:

- I. Claims 72-74, 75 in part, 76-77 and 80, being drawn to compounds wherein R<sub>2</sub> is a heterocyclic/quinone ring;
- II. Claim 78 and 79, drawn to multiple active ingredients composition; if this group is elected, a further election of a single disclosed composition is also required;
- III. Claim 75 in part, drawn to compounds wherein R<sub>2</sub> is nonheterocyclic; if this group is elected, a further election of a single disclosed composition is also required;
- IV. Claims 81 and 82, drawn to a composition comprising a compound of claim 80 formula I; if this group is elected, a further election of a single disclosed composition is also required; and

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V. Claims 83-85, drawn to multiple active ingredients composition where one is a compound of claim 80 formula I, if this group is elected, a further election of a single disclosed composition is also required.

Applicants provisionally elect to prosecute Group I, claims 72-74, 75 in part, 76-77, and 89 with traverse. Indeed, proper restriction requirements require that the PTO demonstrate a serious burden to examine more than one group. Yet the evidence and explanation of record fail to establish as such. For example, Groups I and III were classified in class 548. Similarly, Groups II and IV-V were classified in class 514. It is respectfully submitted that that evidence and explanation fail to establish the serious burden required to maintain the five-way restriction requirement.

If necessary, nevertheless, Applicants will request rejoinder of the claims. MPEP 821.04.

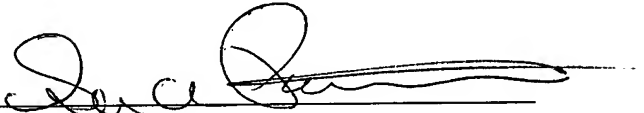
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date

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